

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: David Afterbuffalo

Case Number: 2:12CR00074-WFN-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: September 3, 2013

Original Offense: Failure to Register, 18 U.S.C. § 2250(a)

Original Sentence: Prison 366 days; Type of Supervision: Supervised Release
TSR - 60 days

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: November 22, 2013

Defense Attorney: Federal Defenders Office

Date Supervision Expires: November 21, 2018

PETITIONING THE COURT**To issue a summons.**

The probation officer believes the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 14:** You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

Supporting Evidence: Mr. Afterbuffalo has allegedly violated the rules and requirements of the Spokane Residential Reentry Center (SRRC) by deviating from his allowed schedule.

On May 22, 2014, Mr. Afterbuffalo was granted permission by the SRRC to go to Goodwill Industries to search for employment. However, the director of the Spokane RRC was traveling on Upriver Drive in Spokane, Washington, and observed Mr. Afterbuffalo on that road during the time he was scheduled to be at Goodwill Industries searching for employment. The SRRC provided this officer a letter written by Mr. Afterbuffalo regarding this incident. In the letter, Mr. Afterbuffalo explained some of the stresses he was experiencing and acknowledged he made a mistake, and this behavior would not happen again.

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On June 14, 2014, at approximately 6:57 p.m. the Spokane RRC granted Mr. Afterbuffalo permission to go to the hospital after he reported feeling nauseated. He was directed to contact the SRRC every hour. Mr. Afterbuffalo failed to call SRRC until 8:37 p.m. and reportedly admitted he forgot to call. Mr. Afterbuffalo returned to the SRRC at 11:35 p.m. and had no discharge documentation or verification of his hospital visit. On June 16, 2014, Mr. Afterbuffalo acknowledged to this officer that he was having some stomach issues, but said he was too embarrassed to speak to a doctor about his medical issues and did not go into the hospital.

2 **Special Condition # 22:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On June 14, 2014, Mr. Afterbuffalo provided a urine sample at the Spokane Residential Reentry Center (SRRC) that tested presumptively positive for marijuana. On June 16, 2014, Mr. Afterbuffalo admitted to this officer that he took "a hit" of marijuana the day before submitting to drug testing at the SRRC.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 30, 2014

s/Erik Carlson

Erik Carlson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other


Signature of Judicial Officer

6/30/2014

Date